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PTO/SB/01 (12/97)

Approved for use through 9/30/00. CMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing      OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)))	Attorney Docket Number	87647.98R199
	First Named Inventor	Bailey
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
	Group Art Unit	
	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF REDUCED FOLATES**

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **01/31/1997** as United States Application Number or PCT International Application Number **PCT/US97/01870** and was amended on (MM/DD/YYYY) **03/27/1998** (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above:

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application	Foreign Filing Date	Priority	Certified Copy Attached?	
			YES	NO
none		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/010,898	01/31/1996

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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PTO/SB/01 (12/97)

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## DECLARATION ---- Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/01870	01/31/1997	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/029 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transmit all business in the Patent and Trademark Office connected therewith:

☐ Customer Number  OR  
☒ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label here

Name	Registration Number	Name	Registration Number
Susan J. Braman	34,103		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner information sheet PTO/SB/02C attached hereto.

Direct all correspondence ☐ Customer Number or Bar  OR ☒ Correspondence address below

Name	Susan J. Braman				
Address	Jaekle Fleischmann & Muegel, LLP				
Address	39 State Street				
City	Rochester	State	NY	ZIP	14614-1310
Country	US	Telephone	716-262-3640	Fax	716-262-4133

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname			
Steven W.		Bailey			
Inventor's	Steven W. Bailey			Date	28 July 98
Residence: City	Mobile	State	AL	Country	US
Post Office Address	Pharmacology Department, 3130 MSB; College of Medicine				
Post Office Address	University of South Alabama				
City	Mobile	State	AL	ZIP	36688
				Country	US

☒ Additional Inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached

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PTO/S9/02A (12/97)

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## DECLARATION

### ADDITIONAL INVENTOR(S)

Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
June E.				Ayling			
Inventor's	June E. - Ayling			Date	July 27 1998		
Residence: City	Mobile	State	AL	Country	US	Citizenship	US
Post Office Address	Pharmacology Department, 3130 MSB; College of Medicine						
Post Office Address	University of South Alabama						
City	Mobile	State	AL	ZIP	36688	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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Change Of Attorney Or Agent's Address In Application  
(37 CFR 1.8(a))

Docket No.  
004.00331 (95-006)

In Re Application Of: Bailey et al.

**COPY**

Serial No.  
10/196,118

Filing Date  
July 16, 2002

Examiner  
H. Pratt

Group Art Unit  
1761

Invention:

USES FOR FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF  
REDUCED FOLATES

TO THE COMMISSIONER FOR PATENTS

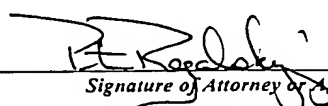
Please send all correspondence for this application to:

Peter Rogalskyj, Esq.  
Rogalskyj & Weyand, LLP  
P.O. Box 44  
Livonia, New York 14487-0044

Please direct all telephone calls to:

Peter Rogalskyj, Esq.  
Tel.: (585) 346-1004  
Fax: (585) 346-1001

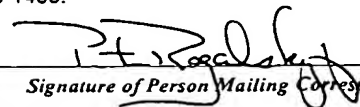
Dated: May 27, 2003

  
Signature of Attorney or Agent of Record

Peter Rogalskyj, Esq  
Reg. No. 38,601  
Rogalskyj & Weyand, LLP  
P.O. Box 44  
Livonia, New York 14487-0044  
Tel.: 585-346-1004  
Fax: 585-346-1001

Registration Number & Address of Attorney or Agent of Record

I certify that this document is being deposited on  
5-27-03 with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

  
Signature of Person Mailing Correspondence

Peter Rogalskyj

Typed or Printed Name of Person Mailing Correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Bailey	)	
		)	
Serial No.:	09/117,586	)	Examiner:
		)	
Filed:	July 31, 1998	)	Art Unit:1761
		)	
For:	FOOD AND VITAMIN	)	
	PREPARATIONS CONTAINING	)	
	THE NATURAL ISOMER OF	)	
	REDUCED FOLATES	)	

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REVOCATION OF ATTORNEYS  
AND APPOINTMENT OF NEW ATTORNEYS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Assignee of record of the above-identified application, South Alabama Medical Science Foundation, by virtue of an assignment submitted for recordation on July 31, 1998, hereby revokes all powers of attorney previously granted and in their place appoints the following attorneys: Susan J. Braman, Reg. No. 34,103 and Peter Rogalskyj, Reg. No. 38,601, each of them c/o Braman & Rogalskyj, LLP, P.O. Box 352, Canandaigua, New York 14424-0352 (telephone 716-393-3000; facsimile 716-393-3001), each with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to receive the patent, to transact all business in the U.S. Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

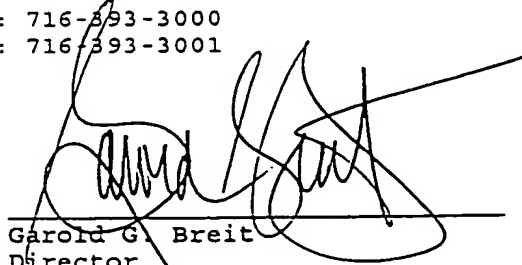
Please address all future communications and direct all telephone calls regarding this application to:

Susan J. Braman  
Braman & Rogalskyj, LLP  
P.O. Box 352  
Canandaigua, New York 14424-0352

Telephone: 716-393-3000  
Facsimile: 716-393-3001

Date

12/14/98

  
Garold G. Breit  
Director  
Office of Technology Transfer  
South Alabama Medical Science  
Foundation



604.00072

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 15, 1999

PTAS

JAECKLE FLEISCHMANN & MUGEL, LLP  
SUSAN J. BRAMAN  
39 STATE STREET  
ROCHESTER, NY 14614-1310



\*100835602A\*

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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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RECORDATION DATE: 07/31/1998

REEL/FRAME: 9456/0461  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BAILEY, STEVEN W.

DOC DATE: 07/28/1998

ASSIGNOR:  
AYLING, JUNE E.

DOC DATE: 07/28/1998

ASSIGNEE:  
SOUTH ALABAMA MEDICAL SCIENCE  
FOUNDATION  
POST OFFICE BOX U-1060  
MOBILE, ALABAMA 36688

SERIAL NUMBER: 09117586  
PATENT NUMBER:

FILING DATE: 07/31/1998  
ISSUE DATE:

A/D 581-40

FORM PTO-1619A  
Expires 06/30/99  
OMB 0551-0027

09-21-1998

U.S. Department of Commerce  
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09/117586

05 Rec'd PCT/PTO 31 JUL 1998

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☐ Security Agreement

☐ License

☐ Change of Name

☐ Merger

☐ Other

U.S. Government

(For Use ONLY by U.S. Government Agencies)

☐ Departmental File

☐ Secret File

## Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Bailey, Steven W.

Execution Date  
Month Day Year

07/23/1998

Name (line 2)

## Second Party

Name (line 1) Ayling, June E.

Execution Date  
Month Day Year

07/23/1998

Name (line 2)

## Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) South Alabama Medical Science Foundation

Name (line 2)

Address (line 1) Post Office Box U-1060

Address (line 2)

Address (line 3) Mobile

AL

36688

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment)

## Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

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Address (line 2)

Address (line 3)

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Mail documents to be rec rded with required cover sheet(s) information to:

Correspondent Name and Address

Area Code and Telephone Number

(716) 262-3640

Name Susan J. Braman

Address (line 1) Jaeckle Fleischmann & Mugel, LLP

Address (line 2) 39 State Street

Address (line 3) Rochester, NY 14614-1310

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

# 2

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)


If this document is being filed together with a new Patent Application, enter the date the patent application was

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT PCTUS9701870

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

# 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

40.00

Method of Payment:

Enclosed ☐

Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the

Deposit Account Number:

# 10-0223

Authorization to charge additional fees:

Yes



No



Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Susan J. Braman

Name of Person Signing

Susan J. Braman

Signature

July 31, 1998

Date



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87647.98R199

ASSIGNMENT

WHEREAS, We, Steven W. Bailey, a citizen of the United States of America, residing at Pharmacology Department, 3130 MSB, College of Medicine, University of South Alabama, Mobile, Alabama 36688, and June E. Ayling, a citizen of the United States of America, residing at Pharmacology Department, 3130 MSB, College of Medicine, University of South Alabama, Mobile, Alabama 36688, have invented certain new and useful improvements in FOOD AND VITAMIN PREPARATIONS CONTAINING THE NATURAL ISOMER OF REDUCED FOLATES for which we have executed an application for Letters Patent in the United States, the specification of which was filed as PCT International Application Number PCT/US97/01870 on January 31, 1997;

AND WHEREAS, South Alabama Medical Science Foundation, with its principal place of business at Post Office Box U-1060, Mobile, Alabama, 36688, desires to acquire the entire right, title and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for good and valuable consideration including salary or payment for the making of inventions in accordance with the patent policy of the University of South Alabama, College of Medicine, or employee benefits, We, the said inventors, do hereby acknowledge that We have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said South Alabama Medical Science Foundation, its successors, legal representatives and assigns, the entire right, title and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and We hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said South Alabama Medical Science Foundation, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND We HEREBY covenant and agree that We will communicate to the said South Alabama Medical Science Foundation, its successors, legal representatives and assigns, any facts known to us respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional,

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- 2 -

continuing and reissue applications, and make all rightful oaths to aid the said South Alabama Medical Science Foundation, its successors, legal representatives and assigns, at the expense of said South Alabama Medical Science Foundation, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28 day of July, 1998.

Steven W. Bailey  
Steven W. Bailey

STATE OF ALABAMA  
COUNTY OF MOBILE SS:

This 28<sup>th</sup> day of JULY, 1998, before me personally came the above-named Steven W. Bailey, to me personally known as the individual who executed the same of his own free will for the purposes therein set forth.

Judi Maylor  
Notary Public  
My Commission Expires July 30, 2000

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 28 day of July, 1998.

June E. Ayling  
June E. Ayling

STATE OF ALABAMA  
COUNTY OF MOBILE SS:

This 28 day of July, 1998, before me personally came the above-named June E. Ayling, to me personally known as the individual who executed the same of her own free will for the purposes therein set forth.

Judi Maylor  
Notary Public  
My Commission Expires July 30, 2000